

Remarks

1. Summary of Office Action

In the office action mailed April 25, 2008, the Examiner objected to the drawings as not showing the 150mm overlap recited in claims 11 and 12 (although Applicant notes that the 150mm overlap was recited only in claim 12, not in claim 11). In addition, the Examiner rejected claims 1-2, 16-19, 21-23, and 28-30 under 35 U.S.C. § 102(b) as being allegedly anticipated by Korean Patent 20-0201182 ("Korean"), the Examiner rejected claims 3-7 and 35 under 35 U.S.C. § 103(a) as being allegedly obvious over Korean, and the Examiner rejected claims 8-15, 20, 24-27, 31-34, and 36 under 35 U.S.C. § 103(a) as being allegedly obvious over Korean in view of U.S. Patent No. 4,875,319 (Hohmann).

2. Consideration of Information Disclosure Statement

Applicant filed an information disclosure statement on July 7, 2004. On May 31, 2007, the Office mailed a copy of that information disclosure statement with references initialled by the Examiner. However, Applicant notes that the Examiner did not initial reference # 5 in the information disclosure statement. Applicant assumes that the Examiner considered all of the references, including reference #5. Therefore, Applicant respectfully requests the Office to mail a copy of the information disclosure statement with reference #5 initialled by the Examiner as well, in order to complete Applicant's records.

3. Status of Specification, Drawings, and Claims

By this response, Applicant has deleted the Figure 11 that Applicant added in the last response, and Applicant has deleted the accompanying text regarding Figure 11 that Applicant added in the last response. Applicant has also cancelled claims 11 and 12 without prejudice. By

making these amendments, Applicant does not intend to give up coverage for an embodiment of the claimed invention that includes the limitations of cancelled claims 11 and 12. Rather, Applicant has made this amendment to expedite prosecution.

Applicant has also amended claims 1, 28, and 36, to more particularly point out and distinctly claim subject matter of the invention.

Now pending are claims 1-10 and 13-36, of which claims 1, 19, 28, and 36 are independent and the remainder are dependent.

4. Response to Drawing Objection

As noted above, the Examiner objected to the drawings as not depicting the "150mm" feature of claim 12. Applicant has cancelled claim 12. Therefore, Applicant submits that this objection is now moot.

5. Response to Anticipation Rejections of Claims 1-2, 16-19, 21-23, and 28-30

As noted above, the Examiner rejected claims 1-2, 16-19, 21-23, and 28-30 as being allegedly anticipated by Korean. Of these claims, claims 1, 19, and 28 are independent.

At best, Korean discloses a screw (3) and a wall plug (1). However, that arrangement of Korean does not amount to the present invention, because the present invention provides a tubular connector that itself threads *onto* and thus internally receives the threaded fastener. The advantageous arrangement of the present invention is mechanically inconsistent with the disclosure of Korean. Further, modifying Korean to result in the present invention would change the basic principle of operation of Korean, since Korean assumes as a basic matter that screw 3 would need to screw *into* wall plug 1 so as to expand the molly behind the backup wall. With the present invention, threading the tubular connector onto the fastener and thus receiving the

fastener internally into the tubular connector would not achieve Korean's molly expansion behind the backup wall.

Further, even if one were to argue that Korean's wall plug (1) fit onto and internally received Korean's screw (3) (which Applicant does not acquiesce), there is clearly no disclosure in Korean that the wall plug would be the element that has holes for receiving a reinforcement wire, and such an interpretation would be contrary to Korean's teachings.

To further clarify this point in claims 1 and 28, Applicant has amended claims 1 and 28 as shown above. Applicant submits that claims 1 and 28 patentably distinguish over Korean for at least the foregoing reasons and are therefore allowable. Further, without conceding the Examiner's assertions, Applicant submits that dependent claims 2, 16-18, and 29-30 are allowable as well for at least the reason that they each depend from allowable claim 1 or allowable claim 28.

Applicant submits that claim 19 as originally written (including the recitation of the connector having a tube of internal diameter that closely fits the external diameter of the helical fins of the wall tie for providing a sleeve which engages over one end of the wall tie) patentably distinguishes over Korean for at least the foregoing reasons as well and is therefore allowable. Further, without conceding the Examiner's assertions, Applicant submits that dependent claims 21-23 are allowable for at least the reason that they each depend from allowable claim 19.

6. Response to Obviousness Rejections

a. Claims 3-7 and 35

As noted above, the Examiner rejected dependent claims 3-7 and 35 as being allegedly obvious over Korean. Without conceding the Examiner's assertions, Applicant submits that each

of these claims is allowable for at least the reason that each of these claims depends from allowable claim 1 or allowable claim 28.

b. Claims 8-15, 20, 24-27, 31-34

As noted above, the Examiner rejected dependent claims 8-15, 20, 24-27, 31-34 as being allegedly obvious over Korean in view of Hohmann. Without conceding the Examiner's assertions, Applicant submits that each of these claims is allowable for at least the reason that each of these claims depends from allowable claim 1, allowable claim 19, or allowable claim 28.

c. Claim 36

As noted above, the Examiner rejected independent claim 36 as being allegedly obvious over Korean in view of Hohmann. In setting forth this rejection, the Examiner relied on Korean for largely the same points discussed above. The Examiner then admitted that Korean was deficient on a particular basis, and the Examiner turned to Hohmann to make up for that deficiency.

Applicant has amended claim 36 to add that the connector is a tubular connector and that the tubular connector internally receives the wall tie.

Applicant submits that *prima facie* obviousness of claim 36 over Korean in view of Hohmann does not exist, because Korean teaches away from the invention of claim 36. In particular, as noted above, modifying Korean to achieve the presently claimed invention would change a basic feature of Korean (namely preventing the molly expansion in the backup wall) and would thus seem to render Korean inoperable for its intended purpose, thereby precluding *prima facie* obviousness under M.P.E.P. § 2143. For at least this reason, Applicant submits that claim 36 is allowable.

7. Conclusion

For the foregoing reasons, Applicant submits that all of the pending claims are allowable. Therefore, Applicant respectfully requests favorable reconsideration and allowance of the claims.

Should the Examiner wish to discuss this case with the undersigned, the Examiner is welcome to call the undersigned at (312) 913-2141.

Respectfully submitted,

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